

ENTERED

January 21, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ADAEZE NWOSU,**Plaintiff,****V.****BROOKFIELD CORPORATION,
et al.,****Defendants.**§
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§**CIVIL ACTION NO. 4:24-cv-4144**

MEMORANDUM AND RECOMMENDATION

On January 9, 2025, the Court ordered Plaintiff to show cause in writing by January 16, 2025, (1) why he failed to appear at the court ordered conference on January 9, 2025; (2) why he failed to comply with the Court Order dated January 6, 2025 ordering Plaintiff to confer and file the joint case management plan (*see* ECF No. 18), and (3) why he failed to comply with the Court's initial Order for pretrial conference (*see* ECF No. 11) dated October 28, 2024. (ECF No. 20). The Court informed Plaintiff that failure to respond may result in sanction, including dismissal of this case. (*Id.*). Plaintiff failed to comply with the Court's Order to show cause in writing by January 16, 2025.

"A district court may dismiss a case for failure to prosecute or comply with court orders." *Thompson v. Nueces Cnty. Jail*, No. 2:24-cv-00107, 2024 WL 4507372, at *2 (S.D. Tex. Sept. 16, 2024), *report and recommendation adopted*,

No. 2:24-cv-00107, 2024 WL 4505476 (S.D. Tex. Oct. 16, 2024) (citing FED. R. CIV. P. 41(b); *Martinez v. Johnson*, 104 F.3d 769, 772 (5th Cir. 1997) (“The district court also has the inherent authority to dismiss an action *sua sponte*, without motion by a defendant.”)). Here, Plaintiff has repeatedly failed to comply with Court orders and has not showed cause in writing explaining why he has failed to comply with such orders. *See id.* (recommending the case be dismissed without prejudice as plaintiff failed to comply with court orders).

Because Plaintiff failed to comply with the January 9, 2025 Order, the Court **RECOMMENDS** this action be **DISMISSED WITHOUT PREJUDICE**.

SIGNED in Houston, Texas on January 21, 2025.

A handwritten signature in black ink, appearing to read "Richard W. Bennett", written over a horizontal line.

Richard W. Bennett
United States Magistrate Judge